United Nations S/2002/284

Security Council

Distr.: General
18 March 2002

Original: English

Letter dated 13 March 2002 from the Secretary-General addressed to the President of the Security Council

I have the honour to refer to the United Nations Peacekeeping Force in Cyprus (UNFICYP).

The Governments of Argentina and Paraguay, in the context of their cooperation on peacekeeping matters, wish to include a platoon of Paraguayan troops in the Argentine contingent of UNFICYP. Following the usual consultations, I intend to accept this proposal. Accordingly, I propose that Paraguay be added to the list of countries contributing troops to UNFICYP.

I should be grateful if you would bring this matter to the attention of the members of the Security Council.

(*Signed*) Kofi A. **Annan**

02-29233 (E) 180302

United Nations S/2002/285

Security Council

Distr.: General
18 March 2002

Original: English

Letter dated 18 March 2002 from the President of the Security Council addressed to the Secretary-General

I have the honour to inform you that your letter dated 13 March 2002 (S/2002/284) concerning your proposal to add Paraguay to the list of countries contributing troops to the United Nations Peacekeeping Force in Cyprus (UNFICYP) has been brought to the attention of the members of the Council. They take note of the proposal contained therein.

(*Signed*) Ole Peter **Kolby**
President of the Security Council

02-29239 (E) 180302

United Nations S/2002/286

Security Council

Distr.: General
18 March 2002
English
Original: French

Letter dated 18 March 2002 from the Permanent Representative of the Democratic Republic of the Congo addressed to the President of the Security Council

On instructions from my Government, I regret to inform you that, in flagrant violation of the ceasefire, and despite our numerous calls to the Council, troops of the Rwandan Patriotic Army (APR), assisted by elements of the Rassemblement Congolais pour la Démocratie (RCD)-Goma, besieged the town of Moliro, situated 400 km east of Lubumbashi (province of Katanga), on Saturday, 16 March 2002.

In order to carry out the threat it had made at the most recent meeting of the Political Committee of the Lusaka Agreement, Rwanda proceeded as follows:

1. On 9 March 2002, the ship *Mpala*, originating from Kalemie, brought troops and equipment to Moba;

2. From 10 to 11 March 2002, several nighttime circuits of a cargo aircraft bringing reinforcements of Rwandan troops and equipment to the airport at Kalemie were observed;

3. On 11 March 2002, two circuits of this same aircraft were observed. At 1730 hours local time, the Rwandan troops (a battalion) from Pepa attacked the positions of the Forces armées congolaises (FAC) about 9 km from the Bay of Lunangwa. The fighting, which lasted all night, did not end until the morning of 13 March 2002;

4. On Wednesday, 13 March 2002, at 1530 hours local time, Rwandan troops arriving from Mwange attacked the FAC positions 10 km south of Moliro. Fifteen minutes later, the Rwandan troops launched an attack in this district;

5. On Thursday, 14 March 2002, fighting took place 15 km from Moliro;

6. On Friday, 15 March 2002, the Rwandan troops continued their offensive 15 km from Moliro, and in the evening, another Rwandan detachment made a sortie 5 km from Moliro;

7. The Moliro attack was waged by Rwandan troops estimated at 10,000 men; they were subsequently joined by elements of RCD-Goma;

8. The routes chosen were as follows:

On 14 March 2002, 20 to 30 military trucks transporting elements of APR travelled from Kigali (Rwanda) to Bukavu (Democratic Republic of the Congo). They continued in the direction of Lake Tanganyika as far as Uvira,

02-29203 (E) 180302 180302

from where these troops embarked for Kalemie and Moba. Air circuits were also made between Kigali and Kalemie, and between Kigali and Kindu.

All this information was duly conveyed directly to the command of the forces of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC), which confirmed the movement of the Rwandan troops, particularly in the Pepa area, but took no action.

My Government would like to take this opportunity to draw the attention of the Security Council to a major redeployment of APR in the province of eastern Kasai in the Mbuji-Mayi and Kabinda area, and in the provinces of Maniema and the two Kivus, particularly in the Walungu district, 40 km from Bukavu, where combing and reprisals operations are currently taking place against the Mai-Mai combatants.

These actions by Rwanda and RCD-Goma constitute a grave violation of the ceasefire and thereby call in question all the other activities envisaged within the framework of the Lusaka Agreement, because this constitutes the prerequisite for carrying out the other activities, including the inter-Congolese dialogue.

My Government therefore draws the attention of the Security Council to this latest resumption of hostilities by APR and RCD-Goma which is liable to jeopardize the inter-Congolese dialogue begun on 25 February at Sun City, in South Africa, and, hence, the entire peace process in the Democratic Republic of the Congo.

My Government, which could not remain passive in the face of this latest provocation on the part of the Rwandan aggressors and their Congolese accomplices, has therefore decided to suspend its participation in the plenary meetings of the inter-Congolese dialogue until a viable solution is found to the belligerent behaviour of the Rwandan aggressor.

This solution necessarily requires an announcement by Rwanda of a unilateral ceasefire and the return of its troops to Kalemie, the town which, with Kongolo, Kabalo and Nyunzu, forms the new defensive positions (NPD) allocated to APR and RCD-Goma by the Harare sub-plans for disengagement and redeployment.

My Government would also like to inform the Security Council that it is firmly committed to the process of the inter-Congolese dialogue and hopes for its full success, since it is deeply convinced of the unique opportunity offered by the dialogue to enable the Congolese participating in this important forum, including the Government, all of whom share responsibility for the future of their nation, to respond to the expectations of the Congolese population in terms of peace, hope, prosperity, democracy and development.

My Government would like to stress, however, that, in view of the grave situation caused by Rwanda and RCD-Goma, which have taken it upon themselves to violate the Lusaka ceasefire agreement, it has a constitutional duty to safeguard the territorial integrity and national sovereignty of the Democratic Republic of the Congo; these principles have been reaffirmed many times by the Security Council. My Government also has a duty to defend the nation, as authorized by the Charter of the United Nations, above all Article 51.

The Council will recall that earlier, my Government had denounced the reinforcement of Rwandan troops from Bukavu consisting of several heavily armed battalions with the objective of taking Moliro and seizing the towns of Lubumbashi and Kamina in order to sabotage the disarmament, demobilization, repatriation,

resettlement and reintegration (DDRRR) operation, so as to remove all pretexts for Rwanda to continue its military intervention in the Democratic Republic of the Congo.

My Government believes that serious questions need to be asked about the launching of these military operations at a time when negotiations are under way and all the parties know full well that all the military disputes need to be resolved within the context of the Political Committee. This resumption of hostilities is a manifestation of the desire expressed many times by Rwanda to achieve the dismemberment of the Democratic Republic of the Congo for purposes of political domination and the control of important sources of raw materials.

My Government calls on the Security Council to meet urgently to:

1. Denounce Rwanda and RCD-Goma for the resumption of hostilities;

2. Demand that Rwanda and RCD-Goma should halt the hostilities immediately and unconditionally and withdraw their troops to their initial positions;

3. Call upon the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) to deploy observers in the conflict zone in order to monitor the implementation of the ceasefire and the withdrawal of the forces that are in the zone;

4. Demand also from Rwanda and RCD-Goma the full, strict and comprehensive implementation of the Lusaka ceasefire agreement, the Kampala disengagement plan and the Harare sub-plans for disengagement and redeployment;

5. Further demand that Rwanda immediately and unconditionally withdraw its troops from the territory of the Democratic Republic of the Congo in accordance with Security Council resolution 1304 (2000) of 16 June 2000 and all the Council's later resolutions on the situation in the Democratic Republic of the Congo;

6. Order the resumption of the activities of humanitarian workers and human rights defenders in order to assist the Congolese people in distress in the conflict zone.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) Ileka **Atoki**
Ambassador
Permanent Representative

United Nations S/2002/287

Security Council

Distr.: General
18 March 2002
English
Original: French

Letter dated 18 March 2002 from the Permanent Representative of Rwanda to the United Nations addressed to the President of the Security Council

Acting on instructions from my Government, I have the honour to transmit to the Security Council Rwanda's reactions concerning the attitude of the Kinshasa Government to the Sun City Inter-Congolese Dialogue and the statement by the Rwandan Government (see annex) concerning France's accusations in the Security Council regarding the Muliro attack.

1. The truth about Muliro

The Kinshasa Government seized Muliro, a former military position of RCD-Goma, in total violation of the Lusaka Peace Agreement. The advance of the Congolese Armed Forces beyond Muliro to the town of Kamamba which they wanted to take from RCD cost them Muliro which was taken back by RCD whom the Kinshasa Government wanted to dislodge from Kamamba, the first town after Muliro. That is what happened.

2. Kinshasa is deliberately mixing up RCD and APR

RCD is the main Congolese opposition, both from the military standpoint and from the political standpoint, to the Kinshasa Government.

Given this military and political strike force, the Kinshasa Government is constantly targeting RCD-Goma, which it does not call by its proper name and which it has taken to mixing up with APR. This deliberate confusion seeks to play down the importance of the largest Congolese opposition force and thus systematically deny the panoply of profound reasons which prompted the Congolese of RCD-Goma to take up arms against Kinshasa.

3. Kinshasa is sabotaging the Inter-Congolese Dialogue

The Kinshasa Government is sabotaging the Inter-Congolese Dialogue of Sun City (South Africa) as it did the one at Addis Ababa (Ethiopia). In both cases, the Kinshasa delegation left the meeting room for reasons that do not make sense.

Anyone who has been following the position of the Kinshasa Government on this matter knows that Kinshasa's attempts to impose Joseph Kabila on the other Congolese forces as president of the transition have failed dismally. It is this failure that haunts the Kinshasa Government and makes it believe, rightly or wrongly, that

02-29253 (E) 180302 180302

it was leaving as a loser in this political battle regarding the Inter-Congolese Dialogue. Whence the slamming of the door in Sun City.

4. Rwanda firmly supports the Inter-Congolese Dialogue

The fundamental Congolese problem is political. There are many Congolese political issues for which adequate political solutions must be found. That is why the Inter-Congolese Dialogue is so important and why it is so important that it should be a success; we earnestly hope that it will be.

Even prior to Sun City, the Kinshasa Government stated that there would be no Inter-Congolese Dialogue as long as Rwanda remained in the Congo. This statement goes against the Lusaka Agreement, all of whose clauses must be implemented, including the ones negotiating the Inter-Congolese Dialogue, the disarmament and disengagement of the negative forces, and the withdrawal of all foreign forces from the Democratic Republic of the Congo.

I should like to request that this letter and the statement by my Government, annexed hereto, be circulated to the Member States of the United Nations as an official document of the Security Council.

(*Signed*) Dr. Anastase **Gasana**
Ambassador
Permanent Representative

Annex to the letter dated 18 March 2002 from the Permanent Representative of Rwanda to the United Nations addressed to the President of the Security Council

[Original: English]

Statement of 15 March 2002 of the Government of Rwanda on accusations by France

1. The Government of Rwanda is dismayed by the accusations levelled by France at the Security Council to the effect that Rwanda would have sent troops into the Democratic Republic of the Congo in violation of our commitment to the implementation of the Lusaka Ceasefire Agreement.

2. It is all the more surprising because France is well aware that a United Nations observer mission, MONUC, charged with the responsibility of monitoring and verification of such incidents is already deployed in the Democratic Republic of the Congo. MONUC should investigate the incident and inform all the concerned parties before such accusations are made. So far MONUC has not communicated to us about the alleged troop movements.

3. France is also aware that the fighting in Muliro, Kamamba, Pepa, Zongwe and Nyange is all in territory controlled by the RCD. So it can only be the Democratic Republic of the Congo government forces which have launched an offensive in flagrant violation of the ceasefire, and the disengagement protocols of the Lusaka Agreement.

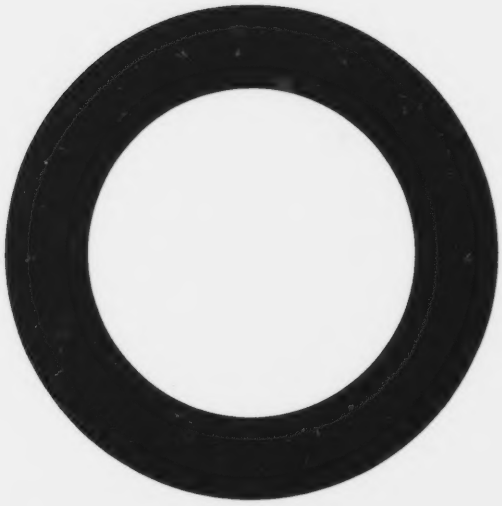
4. It should also be recalled that the Political Committee has since September 2001 asked the Democratic Republic of the Congo government forces to vacate all illegally occupied positions to no avail. At its last meeting in Luanda, in February 2002, the Political Committee reiterated the appeal. The Democratic Republic of the Congo government response was to launch new offensives which have resulted in the present situation.

5. It would seem that President Kabila has failed to establish his legitimacy within and outside Sun City with his compatriots and he has chosen to torpedo the Inter-Congolese Dialogue by waging war. The correct thing for France to do is to discourage him from such a dangerous course. It is to encourage President Kabila to accept the only viable basis for resolving the Congo crisis, that is to full cooperate in the implementation of the Lusaka Agreement. France and the Security Council have so far not condemned these bellicose acts.

6. France's accusations are not helpful to the process at all.

7. The Rwanda Government reiterates its assurances to our partners that its forces have not participated in the current fighting in the Muliro area, it has not sent any fresh forces in the Democratic Republic of the Congo as claimed by France, and has no intention of doing so.

8. The Government, in addition appeals to the Government of the Democratic Republic of the Congo to return to its defensive positions as agreed through the Kampala Disengagement Plans and Harare Sub-plans. Walking out of the Inter-Congolese Dialogue by the Government of the Democratic Republic of the Congo risks to jeopardize the peace process.



United Nations A/56/877-S/2002/288

General Assembly
Security Council

Distr.: General
19 March 2002
English
Original: Russian

General Assembly
Fifty-sixth session
Agenda items 41 and 42

Question of Palestine

The situation in the Middle East

Security Council
Fifty-seventh year

Letter dated 14 March 2002 from the Permanent Representative of Belarus to the United Nations addressed to the Secretary-General

On instructions from my Government, I have the honour to transmit the text of a statement by the press secretary of the Ministry of Foreign Affairs of the Republic of Belarus concerning the adoption of Security Council resolution 1397 (2002) on the situation in the Middle East (see annex).

I should be grateful if you would have this letter and its annex circulated as a document of the General Assembly, under agenda items 41 and 42, and of the Security Council.

(*Signed*) Sergei **Ling**
Ambassador
Permanent Representative

02-29266 (E) 190302 190302

Annex to the letter dated 14 March 2002 from the Permanent Representative of Belarus to the United Nations addressed to the Secretary-General

Statement by the press secretary of the Ministry of Foreign Affairs of Belarus concerning the adoption of the Security Council resolution on the situation in the Middle East

The Republic of Belarus welcomes the adoption on 12 March 2002 of Security Council resolution 1397 (2002) concerning the situation in the Middle East, including the question of Palestine.

The vision of the Middle East approved by the Security Council as a region where two States, Israel and Palestine, will peacefully coexist within secure and recognized borders, is in keeping with the position of the Republic of Belarus on the Middle East conflict.

We fully support the demand made in the resolution for the immediate cessation of violence, including terrorist acts, and the call to the parties to the conflict to cooperate in the implementation of the Tenet plan and the Mitchell report with the aim of resuming peace negotiations on a political settlement.

The Republic of Belarus believes that the adoption of the Security Council resolution, which is positively regarded both by the Palestinians and by the Israelis, is a significant contribution by the international community to the process of the peaceful settlement of the Middle East conflict.

14 March 2002

United Nations A/56/878–S/2002/289

General Assembly
Security Council

Distr.: General
19 March 2002

Original: English

General Assembly
Fifty-sixth session
Agenda item 84
Review of the implementation of the Declaration on the Strengthening of International Security

Security Council
Fifty-seventh year

Letter dated 17 March 2002 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the text of a letter dated 16 March 2002 from Kamal Kharrazi, the Foreign Minister of the Islamic Republic of Iran, addressed to you (see annex). In the letter, the Foreign Minister reflects the concerns of the Iranian Government over the reports indicating that the United States of America is planning to develop a new generation of nuclear weapons and contemplating nuclear strikes against a list of non-nuclear States.

I should be grateful if you would have the text of this letter and its annex circulated as a document of the General Assembly, under agenda item 84, and of the Security Council.

(*Signed*) Hadi **Nejad-Hosseinian**
Ambassador
Permanent Representative

02-29339 (E) 210302

Annex to the letter dated 17 March 2002 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General

On 10 March 2002, excerpts from a report entitled "Nuclear Posture Review", prepared by the United States Department of Defense, were published in the United States, which indicate the emergence of a new doctrine in the United States on the use of nuclear weapons.

While the document remains classified, statements on the record by various high-ranking officials of the United States Administration indicate that action plans are being devised to develop a new generation of nuclear weapons and improve the existing ones to be used against nuclear- as well as non-nuclear-weapon States.

This doctrine is a clear violation of the United States multilateral obligations under the Treaty on the Non-Proliferation of Nuclear Weapons and contradicts previous assurances officially undertaken by the United States at the highest level. This constitutes an alarming development which threatens to undermine the global non-proliferation regime.

It is important to recall that, in the early 1980s, all five nuclear-weapon States, in response to the international demand for a treaty on negative security assurances against nuclear weapons, undertook not to use such weapons against States parties to the Nuclear Non-Proliferation Treaty and those which renounce the production and acquisition of such weapons.

On 9 February 1982, the United States representative to the Committee on Disarmament stated: "The United States will not use nuclear weapons against any non-nuclear-weapon State party to the Non-Proliferation Treaty or any comparable internationally binding commitment not to acquire nuclear explosive devices, except in the case of an attack on the United States, its territories or armed forces, or its allies, by such a State allied to or associated with a nuclear-weapon State in carrying out or sustaining the attack".

On 5 April 1995, days before the 1995 Nuclear Non-Proliferation Treaty Review and Extension Conference, this pledge was reaffirmed through a statement by the United States Secretary of State and circulated as document A/50/153-S/1995/263.

This pledge was taken at face value both in Security council resolution 984 (1995) of 11 April 1995 and in Nuclear Non-Proliferation Treaty Review and Extension Conference decision 2 on principles and objectives for nuclear non-proliferation and disarmament.

In paragraphs 1 and 2 of its resolution 984 (1995), the Security Council took note of the statements by the nuclear-weapon States "in which they give security assurances against the use of nuclear weapons to non-nuclear-weapon States that are parties to the Treaty on the Non-Proliferation of Nuclear Weapons" and recognized "the legitimate interest of non-nuclear-weapon States parties to the Treaty on the Non-Proliferation of Nuclear Weapons to receive assurances that the Security Council, and above all its nuclear-weapon State permanent members, will act immediately in accordance with the relevant provisions of the Charter of the United Nations, in the event that such States are the victim of an act of, or object of a threat of, aggression in which nuclear weapons are used".

In the eighth principle and objective contained in decision 2 on principles and objectives for nuclear non-proliferation and disarmament, adopted on 11 May 1995 by the Review and Extension Conference of the Nuclear Non-Proliferation Treaty, which extended the Treaty indefinitely, the Conference took note of Security Council resolution 984 (1995) as well as "the declarations of the nuclear-weapon States concerning both negative and positive security assurances" and stipulated that "further steps should be considered to assure non-nuclear-weapon States party to the Treaty against the use or threat of use of nuclear weapons. These steps could take the form of an internationally legally binding instrument".

The new United States doctrine on the use of nuclear weapons is in clear violation of the commitments which were made and reaffirmed to help the indefinite extension of the Nuclear Non-Proliferation Treaty. Furthermore, under article VI of the Treaty, the cessation of the nuclear arms race and nuclear disarmament constitute the undertaking of each of the Parties to the Treaty and it is self-evident that the nuclear-weapon States have a crucial role to play in this process.

The demand of the international community in its entirety for nuclear disarmament has been reflected in numerous documents adopted by the Nuclear Non-Proliferation Treaty Review Conferences, the General Assembly and other forums. The advisory opinion of the International Court of Justice has articulated the legal obligation to continue the endeavours for nuclear disarmament in good faith.

The 2000 Nuclear Non-Proliferation Treaty Review Conference called for "an unequivocal undertaking by the nuclear-weapon States to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament, to which all States parties are committed under article VI". It called upon them to consider "a diminishing role for nuclear weapons in security policies to minimize the risk that these weapons ever be used and to facilitate the process of their total elimination".

The new United States doctrine on the use of nuclear weapons not only shifts back towards a new era of nuclear arms race, but also expands the role of nuclear weapons to conventional conflicts and even non-belligerent non-nuclear-weapon States.

There has been a growing trend within the current United States Administration to undermine multilateral efforts aimed at addressing global menaces ranging from terrorism and weapons of mass destruction to environmental degradation. This trend is a cause for grave concern which requires urgent and resolute universal attention and response.

Kamal Kharrazi
Minister for Foreign Affairs of the Islamic Republic of Iran

United Nations S/2002/290

Security Council

Distr.: General
19 March 2002
English
Original: English and French

Draft resolution

The Security Council,

Recalling its previous resolutions and statements by its President,

Recalling the Lusaka Ceasefire Agreement (S/1999/815) and *stressing* that the ceasefire among the parties to this agreement had been respected since January 2001,

Recalling that the Inter-Congolese Dialogue is an essential element of the peace process for the Democratic Republic of the Congo,

Determining that the situation in the Democratic Republic of the Congo poses a threat to international peace and security in the region,

1. *Condemns* the resumption of fighting in the Moliro pocket, and the capture of Moliro by RCD-Goma, and *stresses* that this is a major violation of the ceasefire;

2. *Stresses* that no party to the Lusaka Ceasefire Agreement should be allowed to make military gains while a peace process is under way and while a peacekeeping operation is deployed;

3. *Demands* that RCD-Goma troops withdraw immediately and without condition from Moliro and *also demands* that all parties withdraw to the defensive positions called for in the Harare disengagement sub-plans;

4. *Demands also* that RCD-Goma withdraw from Pweto, which it occupies in contravention of the Kampala and Harare disengagement plan, so as to permit the demilitarization of this location and that all other parties also withdraw from locations they occupy in contravention of the Kampala and Harare disengagement plan;

5. *Recalls* that Kisangani also has to be demilitarized;

6. *Reminds* RCD-Goma and all other parties that they must comply with their obligations with regard to the Ceasefire Agreement, the disengagement plan and relevant resolutions of the Security Council;

7. *Calls on* Rwanda to exert its influence on RCD-Goma so that RCD-Goma implements the demands of this resolution;

8. *Welcomes* the deployment of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) in Moliro and in Pweto, and calls

02-29387 (E) 190302

on all the parties to provide full cooperation to MONUC and to ensure the safety and security of MONUC personnel on the ground;

9. *Calls on* the parties to the Lusaka Ceasefire Agreement to refrain from any military action or other provocation especially while the Inter-Congolese Dialogue is taking place;

10. *Stresses* the importance of continuing the Inter-Congolese Dialogue and *calls on* the Government of the Democratic Republic of the Congo to resume immediately its participation in the dialogue;

11. *Decides* to remain actively seized of the matter.

United Nations S/2002/291

Security Council

Distr.: General
18 March 2002

Original: English

Report of the Secretary-General concerning the credentials of the deputy representative of China on the Security Council

Pursuant to rule 15 of the provisional rules of procedure of the Security Council, the Secretary-General wishes to report that he has received credentials, signed on 29 December 2001, by the Minister for Foreign Affairs of China, stating that Mr. Zhang Yishan has been appointed deputy representative of China on the Security Council.

In the opinion of the Secretary-General, these credentials are in order.

02-29539 (E) 200302

United Nations S/2002/292

Security Council

Distr.: General
21 March 2002
English
Original: French

Letter dated 20 March 2002 from the Permanent Representative of the Democratic Republic of the Congo to the United Nations addressed to the President of the Security Council

On instructions from my Government, I have the great honour to thank you, and through you all the members of the Security Council, for your prompt reaction to my Government's appeal to the Council, and for the appropriateness of your response to the concerns expressed with regard to achieving justice for the entire Congolese nation and its people, who for nearly four years now have been enduring a terrible war of aggression which they did not start.

My Government would like to inform you that, in implementation of the relevant provisions of Security Council resolution 1399 (2002) of 19 March 2002, and particularly paragraph 10, it has decided to resume its participation in the inter-Congolese dialogue, thereby reaffirming its confidence in the constant efforts which the Council is making with a view to the restoration of peace in the Great Lakes region in general, and the Democratic Republic of the Congo in particular.

My Government remains convinced that the Security Council will be able to demand from the other warring parties, particularly Rwanda and the Rassemblement Congolais pour la Démocratie (RCD)/Goma, strict respect for resolution 1399 (2002).

My Government would be grateful if the Security Council could ensure that the resolution is implemented in a non-discriminatory manner, in other words, that the resumption of my Government's participation in the work of the inter-Congolese dialogue coincides with the withdrawal of the Rwandan troops from Moliro and Pwete, the implementation of the Kampala plan and the Harare sub-plans for disengagement and redeployment, the demilitarization of the town of Kisangani and the establishment of a neutral environment in Kindu in order to facilitate the operations of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC).

I request you to have this letter circulated as an official document of the Security Council.

(*Signed*) Ileka **Atoki**
Ambassador
Permanent Representative

02-29808 (E) 210302 210302

United Nations A/56/880–S/2002/293

General Assembly
Security Council

Distr.: General
19 March 2002

Original: English

General Assembly
Fifty-sixth session
Agenda item 166
Measures to eliminate international terrorism

Security Council
Fifty-seventh year

Letter dated 18 March 2002 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General

I wish to draw your attention to the latest incidents in the ongoing campaign of Palestinian terrorism directed against the citizens of the State of Israel.

Yesterday afternoon, at approximately 12.30 p.m. (local time), a Palestinian terrorist opened fire indiscriminately on a street corner in the Israeli city of Kfar Saba at an hour when the area was filled with pedestrians. Noa Auerbach, age 18, was on a break from Tel Aviv high school and was passing time with friends when the terrorist shot and killed her at close range. Sixteen other civilians were wounded as the terrorist continued his rampage before being stopped by Israeli police. The Al Aksa Brigades, the terrorist wing of Palestinian Authority Chairman Yasser Arafat's Fatah faction, claimed responsibility for the attack.

Two hours later, a suicide bomber approached a public bus as it stopped at a traffic light in the northern Jerusalem neighbourhood of French Hill and detonated powerful explosive charges strapped to his body. More than 24 people, most of them passengers aboard the bus, were injured in the attack. Yesterday's bombing comes barely two weeks after a Palestinian bomber killed 10 people in Jerusalem's Beit Yisrael neighbourhood — 6 of them children ranging in age from several months to 15 years — and a week after 11 people were killed by a suicide bomber at Jerusalem's Moment Café. The Islamic Jihad terror organization later claimed responsibility for the attack in a statement sent to news agencies in Beirut.

These attacks are merely the latest incidents in a Palestinian campaign of terrorism that has raged for 18 months and has been detailed in my letters dated 11 March 2002 (A/56/867-S/2002/257), 8 March 2002 (A/56/864-S/2002/252), 5 March 2002 (A/56/857-S/2002/233), 4 March 2002 (A/56/854-S/2002/222), 27 February 2002 (A/56/843-S/2002/208), 20 February 2002 (A/56/828-S/2002/185), 19 February 2002 (A/56/824-S/2002/174), 11 February 2002 (A/56/819-S/2002/164), 8 February 2002 (A/56/814-S/2002/155), 28 January 2002 (A/56/798-S/2002/126), 22 January 2002 (A/56/788-S/2002/104), 18 January 2002 (A/56/781-S/2002/86), 16 January 2002 (A/56/774-S/2002/73), 11 January 2002 (A/56/771-S/2002/47), 4 January 2002 (A/56/766-S/2002/25), 13 December 2001 (A/56/706-S/2001/1198), 4 December 2001

02-29445 (E) 200302

(A/56/678-S/2001/1150), 30 November 2001 (A/56/670-S/2001/1141), 27 November 2001 (A/56/663-S/2001/1121), 12 November 2001 (A/56/617-S/2001/1071), 5 November 2001 (A/56/604-S/2001/1048), 24 October 2001 (A/56/506-S/2001/1011), 19 October 2001 (A/56/492-S/2001/990), 17 October 2001 (A/56/483-S/2001/975), 8 October 2001 (A/56/450-S/2001/948), 5 October 2001 (A/56/444-S/2001/943), 3 October 2001 (A/56/438-S/2001/938), 24 September 2001 (A/56/406-S/2001/907), 20 September 2001 (A/56/386-S/2001/892), 17 September 2001 (A/56/367-S/2001/875), 7 September 2001 (A/56/346-S/2001/858), 4 September 2001 (A/56/331-S/2001/840), 30 August 2001 (A/56/325-S/2001/834), 27 August 2001 (A/56/324-S/2001/825), 13 August 2001 (A/56/294-S/2001/787), 9 August 2001 (A/56/286-S/2001/780), 8 August 2001 (A/56/280-S/2001/775), 6 August 2001 (A/56/272-S/2001/768), 27 July 2001 (A/56/225-S/2001/743), 26 July 2001 (A/56/223-S/2001/737), 17 July 2001 (A/56/201-S/2001/706), 13 July 2001 (A/56/184-S/2001/696), 3 July 2001 (A/56/138-S/2001/662), 2 July 2001 (A/56/131-S/2001/656), 21 June 2001 (A/56/119-S/2001/619), 19 June 2001 (A/56/98-S/2001/611), 18 June 2001 (A/56/97-S/2001/604), 13 June 2001 (A/56/92-S/2001/585), 11 June 2001 (A/56/91-S/2001/580), 4 June 2001 (A/56/85-S/2001/555), 30 May 2001 (A/56/81-S/2001/540), 25 May 2001 (A/56/80-S/2001/524), 18 May 2001 (A/56/78-S/2001/506), 11 May 2001 (A/56/72-S/2001/473), 9 May 2001 (A/56/69-S/2001/459), 1 May 2001 (A/55/924-S/2001/435), 23 April 2001 (A/55/910-S/2001/396), 16 April 2001 (A/55/901-S/2001/364), 28 March 2001 (A/55/863-S/2001/291), 27 March 2001 (A/55/860-S/2001/280), 26 March 2001 (A/55/858-S/2001/278), 19 March 2001 (A/55/842-S/2001/244), 5 March 2001 (A/55/821-S/2001/193), 2 March 2001 (A/55/819-S/2001/187), 14 February 2001 (A/55/787-S/2001/137), 13 February 2001 (A/55/781-S/2001/132), 2 February 2001 (A/55/762-S/2001/103), 25 January 2001 (A/55/748-S/2001/81), 23 January 2001 (A/55/742-S/2001/71), 28 December 2000 (A/55/719-S/2000/1252), 22 November 2000 (A/55/641-S/2000/1114), 20 November 2000 (A/55/634-S/2000/1108), and 2 November 2000 (A/55/540-S/2000/1065).

Israel holds the Palestinian Authority and its Chairman, Yasser Arafat, directly responsible for these latest attacks. For weeks now, forces under the authority of Chairman Arafat have been the leading perpetrators of attacks that have deliberately targeted Israeli civilians, including women and children. Even as both parties engage in talks aimed at achieving a ceasefire, the policies of the Palestinian leadership seem to suggest that it desires quite the opposite — a continuation, and even an escalation, of acts of terror against Israel. Just this week, Jibril Rajoub, a senior Palestinian Authority security official, was quoted in the newspaper *Al-Ayyam* as saying that the Al Aksa Brigades are the "noblest phenomenon" in the history of Chairman Arafat's Fatah movement and declared that "the Authority will not act against the Al Aksa Brigades". In addition to the attack described above, the Al Aksa Brigades have been responsible for almost all of the major recent terrorist attacks and for the deaths of scores of Israelis.

Although it faces an unrelenting campaign of violence against its citizens, Israel remains committed to proceeding towards the implementation of the Mitchell Report and the Tenet work plan as called for in Security Council resolution 1397 (2002) and to achieving a peaceful settlement of the conflict in our region. But by definition, such a settlement cannot be achieved while violence rages, and while attacks on Israeli civilians are considered legitimate and are encouraged by the Palestinian leadership. Resolving the conflict through negotiations necessitates the

genuine renunciation of violence and terrorism, in accordance with signed agreements reached between Israel and the Palestinians, and a renewed commitment to fostering a spirit of peace between our two peoples.

To facilitate such an end, Israel calls on the international community, in the context of its international campaign against terror, to reiterate its complete rejection of all attacks on civilians and to affirm that such tactics can never be justified, regardless of cause or grievance. Moreover, our success in defeating Palestinian terrorism requires that we speak in clear language in affirming that no political gains will ever accrue to those who deliberately target civilians.

I should be grateful if you would arrange to have the text of this letter circulated as a document of the fifty-sixth session of the General Assembly, under agenda item 166, and of the Security Council.

(*Signed*) Yehuda **Lancry**
Permanent Representative

United Nations S/2002/294

Security Council

Distr.: General
19 March 2002

Original: English

Letter dated 14 March 2002 from the Secretary-General addressed to the President of the Security Council

Further to my letter of 26 November 2001 (S/2001/1128) to the President of the Security Council concerning the establishment of the Office of the Special Representative of the Secretary-General for West Africa, I have the honour to inform you that I have decided to appoint Ibrahima Fall, currently Assistant Secretary-General for Political Affairs, as my Special Representative and Head of the Office of the Special Representative of the Secretary-General for West Africa.

I should be grateful if you would bring the present letter to the attention of the members of the Security Council.

(*Signed*) Kofi A. **Annan**

02-29399 (E) 190302

United Nations S/2002/295

Security Council

Distr.: General
19 March 2002

Original: English

Letter dated 19 March 2002 from the President of the Security Council addressed to the Secretary-General

I have the honour to inform you that your letter dated 14 March 2002 (S/2002/294) concerning your decision to appoint Ibrahima Fall as your Special Representative and Head of the Office of the Special Representative of the Secretary-General for West Africa has been brought to the attention of the members of the Security Council. They take note of the decision contained in your letter.

(*Signed*) Ole Peter **Kolby**
President of the Security Council

02-29405 (E) 190302

United Nations S/2002/296

Security Council

Distr.: General
20 March 2002
English
Original: French

Letter dated 18 March 2002 from the Permanent Representative of Spain to the United Nations addressed to the Secretary-General

I have the honour to bring to your attention the Declaration of Barcelona on the Middle East (see annex), issued on 16 March 2002 by the European Council, which met in Barcelona on 15 and 16 March 2002.

I should be grateful if you would have the text of this letter and its annex circulated as a Security Council document.

(*Signed*) Inocencio F. **Arias**
Permanent Representative of Spain to the United Nations

02-29770 (E) 210302 210302

Annex to the letter dated 18 March 2002 from the Permanent Representative of Spain to the United Nations addressed to the Secretary-General

[Original: English, French and Spanish]

European Council, Barcelona, 15 and 16 March 2002

Declaration of Barcelona on the Middle East

1. The Middle East is in the grip of an extremely grave crisis. The European Union calls on both sides to take immediate and effective action to stop the bloodshed. There is no military solution to this conflict. Peace and security can only be achieved through negotiations.

2. To find a way out of the present situation it is essential to address the security, political and economic aspects as inseparable and interdependent elements of a single process. There is a need to restore a sound political perspective and to implement in parallel political and security measures in a mutually reinforcing way. The European Council warmly welcomes the adoption of United Nations Security Council resolution 1397 (2002), which reflects the strong commitment of the international community in this regard.

3. This resolution must be urgently implemented, in particular the demand for an immediate cessation of all acts of violence, including all acts of terror, provocation, incitement and destruction; and the call for the Israeli and Palestinian sides and their leaders to cooperate in the implementation of the Tenet work plan and Mitchell report recommendations with the aim of resuming negotiations on a political settlement.

4. The indiscriminate terrorist attacks over the past weeks, killing and injuring innocent civilians, must be condemned. As the legitimate authority, the Palestinian Authority bears the full responsibility for fighting terrorism with all the legitimate means at its disposal. Its capacity to do so must not be weakened. Israel, notwithstanding its right to fight terrorism, must immediately withdraw its military forces from areas placed under the control of the Palestinian Authority, stop extrajudicial executions, lift the closures and restrictions, freeze settlements and respect international law. Both parties must respect international human rights standards. The use of excessive force cannot be justified. The actions against medical and humanitarian institutions and personnel are absolutely unacceptable. They must be able to fully perform their function.

5. Taking note of the decision by the Government of Israel to release Palestinian Authority President Arafat from his confinement in Ramallah, the European Council demands that all remaining restrictions on his freedom of movement be immediately lifted.

6. The European Council welcomes the decision of the United States President to send Special Envoy Zinni back to the region. The European Union, notably through its Special Representative, Ambassador Moratinos is ready to combine its efforts with his, and with those of the Special Envoy of the Russian Federation and the United Nations Special Coordinator.

7. The European Council remains convinced that a third-party monitoring mechanism would help both parties to pursue their efforts to that end and urges them to consider proposals to accept observers. The European Union and the member States are prepared to participate in such a mechanism.

8. The European Union is determined to play its role together with the parties, the countries in the region, the United States, the United Nations and Russia in the pursuit of a solution, on the basis of Security Council resolutions 242 (1967), 338 (1973) and 1397 (2002) and the principles of the Madrid Conference, Oslo and subsequent agreements, which would allow two States, Israel and Palestine, to live in peace and security and play their full part in the region. The High Representative, Javier Solana, will continue his regular consultations with all international actors involved.

9. On the Israeli-Palestinian conflict, the overall objective is two-fold: the creation of a democratic, viable and independent State of Palestine, bringing to an end the occupation of 1967, and the right of Israel to live within safe and secure boundaries, guaranteed by the commitment of the international community, and in particular the Arab countries.

10. The European Council welcomes the recent initiative of Crown Prince Abdullah of Saudi Arabia, which is based on the concept of full normalization and full withdrawal in accordance with United Nations resolutions, and offers a unique opportunity to be seized in the interest of a just, lasting and comprehensive solution to the Arab-Israeli conflict. It looks to the forthcoming summit of the Arab League in Beirut to take this forward and to the Government and people of Israel to respond positively.

11. The European Council recognizes and praises those who continue to work tirelessly for peace within the peace camps of Israeli and Palestinian society and supports the direct contacts and dialogue that both parties are conducting.

12. Following on its present effort, the European Union will make a full and substantial economic contribution to peace-building in the region, with the aim of improving the living conditions of the Palestinian people, of consolidating and supporting the Palestinian Authority, of strengthening the economic basis of the future State of Palestine and of promoting development and regional economic integration. In this perspective, the European Union stands ready to contribute to the reconstruction of the Palestinian economy as an integral part of regional development.

13. The European Union remains convinced that, in order to be durable, peace in the Middle East must be comprehensive.

United Nations S/2002/297

Security Council

Distr.: General
20 March 2002
English
Original: French

Letter dated 18 March 2002 from the Permanent Representative of Spain to the United Nations addressed to the Secretary-General

I have the honour to bring to your attention the conclusions of the Presidency of the European Council concerning Angola, issued on 16 March 2002 (see annex). The Council met in Barcelona on 15 and 16 March 2002.

I should be grateful if you would have the text of this letter and its annex circulated as a Security Council document.

(*Signed*) Inocencio F. **Arias**
Permanent Representative of Spain to the United Nations

02-29726 (E) 210302 210302

Annex to the letter dated 18 March 2002 from the Permanent Representative of Spain to the United Nations addressed to the Secretary-General

[Original: English, French and Spanish]

Conclusions of the Presidency of the European Council, Barcelona, 15 and 16 March 2002

Angola

The European Council expresses its satisfaction at the announcement of the cessation of the hostilities in Angola by the Government on 13 March with a view to achieving a global ceasefire in the country. The European Council also welcomes the intention of the authorities to permit the political reorganization of UNITA and the election of its new leadership. It encourages the parties to implement fully the provisions of the Lusaka Protocol through a political dialogue under the aegis of the United Nations in order to promote lasting peace and stability in Angola. To cope with the severe humanitarian situation affecting a large part of the Angolan population, the European Council asks the Angolan authorities to facilitate humanitarian activities by international organizations, churches and non-governmental organizations.

United Nations S/2002/298

Security Council

Distr.: General
20 March 2002
English
Original: French

Letter dated 18 March 2002 from the Permanent Representative of Spain to the United Nations addressed to the Secretary-General

I have the honour to bring to your attention the conclusions of the Presidency of the European Council concerning Serbia and Montenegro (see annex). The Council met in Barcelona on 15 and 16 March 2002.

I should be grateful if you would have the text of this letter and its annex circulated as a Security Council document.

(*Signed*) Inocencio F. **Arias**
Permanent Representative of Spain
to the United Nations

02-29720 (E) 210302 210302

Annex to the letter dated 18 March 2002 from the Permanent Representative of Spain to the United Nations addressed to the Secretary-General

[Original: English, French and Spanish]

Conclusions of the Presidency of the European Council, Barcelona, 15 and 16 March 2002

Serbia and Montenegro

The European Council welcomes the agreement reached on 14 March in Belgrade between Serbian and Montenegrin leaders on the principle of a single constitutional arrangement for Serbia and Montenegro. It expresses its appreciation for the facilitation work of the Secretary-General and High Representative, Javier Solana, to this end. It considers this agreement that consolidates a state union a decisive element in the realization of the European perspective of Serbia and Montenegro, and an important contribution towards the stability of the region.

The European Council notes the commitment of both sides to achieve a common internal market including a common customs and trade policy. The European Union expects both Republics to contribute fully to the achievement of these objectives. The European Union is ready to support these efforts in the context of the stabilization and association process. The European Union will continue to offer advice and assistance and will monitor regularly the progress achieved. The Union further expects both Republics to work together in order to ensure the functioning of the common institutions.

The Union will under the stabilization and association process continue its economic assistance in conformity with its existing policy of conditionality. In determining the level and the beneficiaries of this assistance, the Union will take full account of progress achieved in each Republic, including the contribution of each Republic to the effective functioning of the common State and the achievement of European standards.

United Nations S/2002/299

Security Council

Distr.: General
20 March 2002
English
Original: French

Letter dated 18 March 2002 from the Permanent Representative of Spain to the United Nations addressed to the Secretary-General

I have the honour to bring to your attention the conclusions of the Presidency of the European Council concerning Zimbabwe, issued on 16 March 2002 (see annex). The Council met in Barcelona on 15 and 16 March 2002.

I should be grateful if you would have the text of this letter and its annex circulated as a Security Council document.

(*Signed*) Inocencio F. **Arias**
Permanent Representative of Spain to the United Nations

02-29701 (E) 210302 210302

Annex to the letter dated 18 March 2002 from the Permanent Representative of Spain to the United Nations addressed to the Secretary-General

[Original: English, French and Spanish]

Conclusions of the Presidency of the European Council, Barcelona, 15 and 16 March 2002

Zimbabwe

The European Union, noting that the Government of Zimbabwe prevented European Union observers from monitoring the election, and noting the damning conclusions of the reports of the Commonwealth observers team and of the SADC Parliamentary Forum, believes that these elections cannot be judged as either free or fair. The European Union condemns the manner in which the elections were organized by the Government of Zimbabwe.

The European Union congratulates the people of Zimbabwe on the civil and democratic will shown during the voting in the presidential election.

The European Union expresses its concern about ongoing threats to the civil and political rights of senior members of the opposition party in Zimbabwe, and resolves to monitor developments closely. The European Union will maintain its humanitarian assistance to the people of Zimbabwe and will consider possible additional targeted measures against its Government.

The European Council has decided to dispatch a high-level troika in the near future to confer with countries of the SADC region about the European Union concerns regarding Zimbabwe on the basis of their common commitment to the rule of law and democracy.

United Nations S/2002/300

Security Council

Distr.: General
21 March 2002

Original: English

Identical letters dated 20 March 2002 from the Permanent Representative of Angola to the United Nations addressed to the Secretary-General and the President of the Security Council

Upon instructions from my Government, I have the honour to transmit the following:

"As you are aware, the events of 22 February afford the people of Angola a unique opportunity for peace. The Government of Angola is determined to seize this opportunity and reaffirms its commitments under the Lusaka Protocol (S/1994/1441, annex) and the relevant United Nations Security Council resolutions. The Government of Angola continues to view the United Nations and the Troika of observer States to the Lusaka Protocol as partners in the resolution of the conflict in Angola. Likewise, the Government of Angola recognizes the role of the civil society, the church and political parties in the process of national reconciliation within the confines of the Lusaka Protocol.

"In order to seize the opportunity for peace, the Government of Angola instructed the Angolan Armed Forces (FAA) to establish contact with the military leadership of the União Nacional para a Independência Total de Angola (UNITA) to negotiate a general ceasefire indispensable for the participation of UNITA in the political process that will follow.

"Acting on instructions to establish contact with the military leadership of UNITA FAA are currently engaged in direct dialogue with the military leadership of UNITA for the establishment of a general ceasefire, which will enable the necessary environment for the resumption of political negotiations on the implementation of the remaining items of the Lusaka Protocol.

"The initial meeting took place on 15 March in the locality of Cassamba, Moxico province, Angola. During the meeting, the participants reaffirmed their unequivocal commitment to the Lusaka Protocol and agreed upon a framework and agenda for subsequent meetings. Following the meeting, the delegations issued a communique setting the date for the following meeting for Monday, 18 March, and agreed that subsequent meetings would take place in Luena, province of Moxico. Owing to logistic issues, the meeting was postponed until today, Wednesday, 20 March and is currently under way.

"In compliance with the Lusaka Protocol, the agenda centres on achieving the following objectives:

02-29839 (E) 210302

1. Demilitarization of UNITA;

2. Integration of part of the active forces of UNITA into FAA;

3. Demobilization and integration of the remaining soldiers into civil society.

"To implement these objectives, the parties are directly engaged in the establishment of a mechanism, framework and timetable. Discussions are taking place in a spirit of constructive cooperation. During this process, the Government of Angola will keep the United Nations Secretary-General and the Security Council fully apprised of all developments by regularly informing the Special Representative of the Secretary-General in Angola, and representatives of the Troika and, when necessary, by direct briefing to the Council. At the conclusion, the parties will sign a binding agreement and initiate its implementation.

"General Sachipengo Nunda, Deputy Chief of Staff of FAA, heads the FAA delegation. On the part of UNITA, General Kamorteiro, Chief of Staff, heads its delegation. Among other senior officers present at the discussions are General Samy, Deputy Chief of Staff, and General Malungo Bravo Pedro Kalias, Chief of Staff at the President's Office. In addition, those present have established and maintained contact with the remaining leadership. As a result of this, the delegation received an agreement in principle from the Secretary-General of UNITA, General Paulo Lukamba Gato.

"The signature of this document will mark the beginning of the second phase, which will deal with the implementation of the remaining political items of the Lusaka Protocol.

"The Government of Angola welcomes and calls upon the international community to continue to assist its efforts in the implementation of its emergency humanitarian assistance programme.

"The Government of Angola believes that sanctions remain an important instrument in the resolution of the conflict in Angola. In addition representing the will of the international community, sanctions are an effective deterrent against rearmament on the part of UNITA. Given the military nature of the negotiations currently taking place in Angola, it regards as premature any attempt to lift any part of the sanctions currently in force as they relate to curbing the ability of UNITA to rearm itself.

"Upon the establishment of a general ceasefire and the establishment of a mechanism for compliance verification, the Government of Angola will, as in the past, work with the Monitoring Mechanism on Sanctions against UNITA to propose the appropriate revisions.

"The Government of Angola reiterates its commitment to peace in Angola. The nature of the opportunity for peace commands swift and dynamic responses, the conceptualization of which cannot risk losing the opportunity."

I should be most grateful if you would have the present letter circulated as a document of the Security Council.

(*Signed*) Ismael A. Gaspar **Martins**
Ambassador
Permanent Representative

United Nations A/56/884 S/2002/301

General Assembly
Security Council

Distr.: General
22 March 2002

Original: English

General Assembly
Fifty-sixth session
Agenda item 166
Measures to eliminate international terrorism

Security Council
Fifty-seventh year

Letter dated 21 March 2002 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General

I wish to draw your attention to several alarming incidents that have occurred recently along Israel's northern border.

It was confirmed this week that terrorist infiltrators from Lebanon were responsible for the shooting attack that claimed the lives of six Israelis near the northern Israeli town of Shlomi on 12 March 2002. Evidence was first uncovered when Israel discovered a bow-shaped collapsible ladder was hidden in thick vegetation not far from the Blue Line. Such a device would permit infiltrators to breach the security fence without tripping any alarms. Later, further proof was found when footprints were discovered leading from the Blue Line to the scene of the attack, which occurred several kilometres south, in the heart of the Western Galilee. This act merits harsh condemnation as an act of international terrorism aimed directly at Israeli civilians.

This discovery comes amidst a steady escalation of cross-border terrorist attacks that signal Hizbullah's clear intent to intensify their assaults and provoke greater unrest and tension in the region. On 11 March, Hizbullah carried out two separate unprovoked attacks against Israel. In the first incident, shots were fired at an IDF post not far from the village of Ghajar. Israeli forces returned fire and a brief gun battle ensued; reports indicate that at least one terrorist was hit, while no casualties were incurred on the Israeli side. Earlier in the day, Hizbullah fired approximately 30 anti-aircraft shells at aircraft flying in Israeli airspace. The shells fell near communities in northern Israel, spreading terror among the population. These attacks follow several attacks perpetrated in the month of January that were referred to in my letters dated 24 January 2002 (A/56/793-S/2002/115) and 17 January 2002 (A/56/778-S/2002/79), and a spate of other attacks that were detailed in my letters dated 24 October 2001 (A/56/507-S/2001/1012), 5 October 2001 (A/56/443-S/2001/942), 6 July 2001 (A/56/161-S/2001/673), 16 April 2001 (S/2001/367), 16 February 2001 (A/55/792-S/2001/142), 6 February 2001 (A/55/767-S/2001/111), 26 November 2000 (S/2000/1121), 23 October 2000 (S/2000/1011), 19 October 2000 (S/2000/1002), and 7 October 2000 (S/2000/969).

02-29894 (E) 220302

Hizbullah's terrorist activities, which imperil international peace and security and which directly target civilians in the area, would be a matter of grave concern regardless of when they are committed, but they are particularly worrisome now, in light of the heightened tension in the region as a result of the ongoing campaign of Palestinian terrorism directed against Israel. That Hizbullah and Palestinian terrorists are intensifying their operations at the same moment is not a coincidence. Hizbullah has long been involved in providing training and support to Palestinian terrorist groups and in efforts to smuggle weapons to these groups that would enhance their operations capabilities. Hizbullah also serves as a source of ideological inspiration for those who would commit acts of suicidal terrorism against Israelis.

The link between Hizbullah's recent operations and the wider situation in the region was underscored by a number of disturbing statements from the organization's leader, Sheikh Hassan Nasrallah, who admitted that Hizbullah had been involved in a recent unsuccessful attempt to smuggle Katyusha rockets, through the Hashemite Kingdom of Jordan, to terrorists in the Palestinian territories. "Hizbullah is doing all that it can in what suits the intifada's best interests, without hesitation. If it were not for obvious restraints, I would have given a full report about it," said Nasrallah. On 8 March, Nasrallah made the following comment on Hizbullah television: "We are keen on providing all financial and political support for the intifada. Delivering weapons to the Palestinians is one of the most important and greatest duties." Such statements, taken together with Hizbullah's recent attacks and its active support for Palestinian terrorism, make it clear that the organization is intent on further escalating the conflict in the region and scuttling any attempts to restore calm and return to the negotiating process.

Despite Israel's full and confirmed compliance with Security Council resolution 425 (1978), Hizbullah has continued to launch unprovoked attacks against Israel across the Blue Line from its base in South Lebanon. Such actions are in serious breach of Security Council resolutions 425 (1978), 426 (1978), 1310 (2000), 1337 (2001), 1365 (2001) and 1391 (2002), which call for the restoration of international peace and security, the return of the effective authority and presence of the Government of Lebanon in the south, and respect for the integrity of the Blue Line. Despite repeated entreaties, the Lebanese Government has steadfastly refused to take the steps incumbent upon it to ensure peace and security in the area.

The Government of Lebanon is also in violation of Security Council resolution 1373 (2001) and the principles of international law, which clearly calls upon all States to refrain from providing any support, whether active or passive, to all persons or entities involved in terrorist acts. Rather than fulfil its international obligations to fight terrorism in its territory in conformity with the will of the international community, the Government of Lebanon has effectively ceded control of Southern Lebanon to Hizbullah, enabling the organization to freely operate in the area and to launch attacks against Israel at will. This fact was confirmed recently by an official of the United Nations Interim Force in Lebanon who reported that "sovereignty along the border line has effectively been granted to Hizbullah," in an interview carried by Radio Al-Sharq.

The Secretary-General made a similar observation in his recent report on the United Nations Interim Force in Lebanon, dated 16 January 2002 (S/2002/55): "The Government of Lebanon has continued to let Hizbollah operate close to the Blue

Line. More steps can be taken to extend the Government's authority to all of southern Lebanon, as called for by the Council most recently in its resolution 1365 (2001)." The Secretary-General further stressed the critical need to prevent attacks from being launched across the Blue Line and to refrain from any action that could serve to destabilize the situation. These statements, as well as established principles of international law, recently reaffirmed by Security Council resolution 1373 (2001), clearly obligate the Lebanese authorities to take more concerted action to rein in Hizbullah and refute any suggestion that armed attacks across the Blue Line are legitimate.

It should be emphasized that Hizbullah's continuing illegal operations against Israel are possible not only because of Lebanon's support and complicity, but also due to the financial, political and logistical assistance provided by the Governments of Syria and Iran, both of which are countries with well-known records of support for terrorist activities. Syria and Iran are longtime supporters of Hizbullah and continue to provide training grounds and safe harbor to the organization's operatives. In the face of continuing attacks emanating from Lebanese territory, Israel reserves its right and its duty under international law to protect its northern border.

But above all, the timing of Hizbullah's escalatory actions are particularly worrisome as the people and leaders of the region look with hope upon recent diplomatic initiatives that may finally lead to a long sought-after ceasefire. Hizbullah is clearly intent on derailing such efforts. The organization's long history of terrorism, its recent escalation along the Blue Line, its increased involvement with, and support for, Palestinian terrorist groups operating against Israel, its rejection of Israel's right to exist, and its declared opposition to any peaceful settlement of the conflict in the region must command the attention of the international community and merit an unequivocal condemnation. The international community must make it unambiguously clear that Hizbullah will not be permitted to flout the will of the Security Council and the principles of international law and to obstruct the path towards a comprehensive peace that would benefit millions of people in the region. It must further be made clear that the Governments that actively support Hizbullah also bear responsibility, not only for Hizbullah's numerous violations of international legal and moral standards, but for the damage that such violations cause to our common quest for peace.

I should be grateful if you would arrange to have the text of the present letter circulated as a document of the fifty-sixth session of the General Assembly, under agenda item 166, and of the Security Council.

(*Signed*) Yehuda **Lancry**
Permanent Representative

United Nations A/56/886–S/2002/302

General Assembly
Security Council

Distr.: General
25 March 2002

Original: English

General Assembly
Fifty-sixth session
Agenda item 166
Measures to eliminate international terrorism

Security Council
Fifty-seventh year

Letter dated 22 March 2002 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General

I wish to draw your attention to the latest deadly incident of Palestinian terrorism that occurred yesterday in Jerusalem.

At approximately 4.20 p.m. (local time), a Palestinian suicide bomber blew himself up in the middle of a crowded shopping district on King George Street in the heart of Jerusalem. The explosives strapped to the bomber's waist were packed with nails to inflict maximum carnage. It was the second suicide bombing in Israel in as many days, and the second one in Jerusalem in less than a week. Three Israelis — a couple, Gadi and Tzipi Shemesh, and Yitzhak Cohen, age 42 — were killed in the attack, and 87 others were wounded. The bomber was identified as Mohammed Hashaikeh, a Palestinian who was arrested in mid-February by the Palestinian security services on suspicion of planning to carry out a terrorist attack in Israel; he was released several days later. The Al Aksa Brigades, the terrorist arm of Palestinian Authority Chairman Yasser Arafat's Fatah, took responsibility for the attack. We note that the United States Department of State has taken the appropriate action in placing the Al Aksa Brigades on its list of Foreign Terrorist Organizations.

This attack is the latest incident in the continuing campaign of Palestinian terrorism directed against the citizens of the State of Israel. Previous attacks have been detailed in my letters dated 18 March 2002 (A/56/880-S/2002/293), 14 March 2002 (A/56/876-S/2002/280), 11 March 2002 (A/56/867-S/2002/257), 8 March 2002 (A/56/864-S/2002/252), 5 March 2002 (A/56/857-S/2002/233), 4 March 2002 (A/56/854-S/2002/222), 27 February 2002 (A/56/843-S/2002/208), 20 February 2002 (A/56/828-S/2002/185), 19 February 2002 (A/56/824-S/2002/174), 11 February 2002 (A/56/819-S/2002/164), 8 February 2002 (A/56/814-S/2002/155), 28 January 2002 (A/56/798-S/2002/126), 22 January 2002 (A/56/788-S/2002/104), 18 January 2002 (A/56/781-S/2002/86), 16 January 2002 (A/56/774-S/2002/73), 11 January 2002 (A/56/771-S/2002/47), 4 January 2002 (A/56/766-S/2002/25), 13 December 2001 (A/56/706-S/2001/1198), 4 December 2001 (A/56/678-S/2001/1150), 30 November 2001 (A/56/670-S/2001/1141), 27 November 2001 (A/56/663-S/2001/1121), 12 November 2001 (A/56/617-S/2001/1071), 5 November 2001 (A/56/604-S/2001/1048),

02-30090 (E) 250302

24 October 2001 (A/56/506-S/2001/1011), 19 October 2001 (A/56/492-S/2001/990), 17 October 2001 (A/56/483-S/2001/975), 8 October 2001 (A/56/450-S/2001/948), 5 October 2001 (A/56/444-S/2001/943), 3 October 2001 (A/56/438-S/2001/938), 24 September 2001 (A/56/406-S/2001/907), 20 September 2001 (A/56/386-S/2001/892), 17 September 2001 (A/56/367-S/2001/875), 7 September 2001 (A/56/346-S/2001/858), 4 September 2001 (A/56/331-S/2001/840), 30 August 2001 (A/56/325-S/2001/834), 27 August 2001 (A/56/324-S/2001/825), 13 August 2001 (A/56/294-S/2001/787), 9 August 2001 (A/56/286-S/2001/780), 8 August 2001 (A/56/280-S/2001/775), 6 August 2001 (A/56/272-S/2001/768), 27 July 2001 (A/56/225-S/2001/743), 26 July 2001 (A/56/223-S/2001/737), 17 July 2001 (A/56/201-S/2001/706), 13 July 2001 (A/56/184-S/2001/696), 3 July 2001 (A/56/138-S/2001/662), 2 July 2001 (A/56/131-S/2001/656), 21 June 2001 (A/56/119-S/2001/619), 19 June 2001 (A/56/98-S/2001/611), 18 June 2001 (A/56/97-S/2001/604), 13 June 2001 (A/56/92-S/2001/585), 11 June 2001 (A/56/91-S/2001/580), 4 June 2001 (A/56/85-S/2001/555), 30 May 2001 (A/56/81-S/2001/540), 25 May 2001 (A/56/80-S/2001/524), 18 May 2001 (A/56/78-S/2001/506), 11 May 2001 (A/56/72-S/2001/473), 9 May 2001 (A/56/69-S/2001/459), 1 May 2001 (A/55/924-S/2001/435), 23 April 2001 (A/55/910-S/2001/396), 16 April 2001 (A/55/901-S/2001/364), 28 March 2001 (A/55/863-S/2001/291), 27 March 2001 (A/55/860-S/2001/280), 26 March 2001 (A/55/858-S/2001/278), 19 March 2001 (A/55/842-S/2001/244), 5 March 2001 (A/55/821-S/2001/193), 2 March 2001 (A/55/819-S/2001/187), 14 February 2001 (A/55/787-S/2001/137), 13 February 2001 (A/55/781-S/2001/132), 2 February 2001 (A/55/762-S/2001/103), 25 January 2001 (A/55/748-S/2001/81), 23 January 2001 (A/55/742-S/2001/71), 28 December 2000 (A/55/719-S/2000/1252), 22 November 2000 (A/55/641-S/2000/1114), 20 November 2000 (A/55/634-S/2000/1108) and 2 November 2000 (A/55/540-S/2000/1065).

The State of Israel holds the Palestinian Authority and its Chairman, Yasser Arafat, directly responsible for this attack, which was perpetrated by terrorists under the authority of Chairman Arafat's Fatah faction. More generally, the Palestinian leadership has used its official media apparatus to deliberately foster a climate of hatred and violence against Israelis and has refused to abide by its obligations to prevent acts of terror that emanate from the territory under its control. In particular, the Palestinian leadership has failed to end its "revolving door" policy of arresting terrorists and subsequently releasing them; terrorists must be arrested and they must remain incarcerated.

Moreover, this attack comes as the two sides were supposedly moving towards a ceasefire agreement with the assistance of the American special envoy, General Anthony Zinni. We had hoped that the renewed involvement of the United States would have moved Chairman Arafat to take serious actions to control terrorism. The events of the last several days bear tragic witness to the fact that he has abjectly failed to do so.

Israel reaffirms its commitment to negotiating a peaceful settlement to the conflict in our region, but reserves its right to take necessary and proportionate actions to defend its citizens in the absence of even minimal anti-terrorist measures taken by the Palestinian Authority. Nevertheless, Israel is exercising restraint in order to give our efforts at achieving a ceasefire a chance to succeed. Israel has dropped its requirement for seven days of quiet, agreed to conduct truce negotiations while under fire, lifted travel restrictions on Chairman Arafat, stopped conducting air raids and withdrawn forces from Area A. But Israel cannot be the only party to act. It is

imperative that the Palestinian leadership demonstrate its commitment to fighting terror, to ending the violence and to progressing to the series of steps outlined in the Mitchell report and the Tenet understanding that outline a pathway back from the abyss of conflict to the process of dialogue and negotiations.

Our efforts to restore calm to the region will be fruitless so long as terrorism is perceived by the Palestinian side as a legitimate means to address their political grievances. The international community must make clear that such tactics are absolutely unacceptable and resolve that those who resort to such tactics will not be granted the mantle of international legitimacy.

I should be grateful if you would arrange to have the text of this letter circulated as a document of the fifty-sixth session of the General Assembly, under agenda item 166, and of the Security Council.

(*Signed*) Yehuda **Lancry**
Permanent Representative

United Nations S/2002/303

Security Council

Distr.: General
22 March 2002

Original: English

Report by the Secretary-General concerning the credentials of the alternate representative of the Russian Federation on the Security Council

Pursuant to rule 15 of the provisional rules of procedure of the Security Council, the Secretary-General wishes to report that he has received a note verbale dated 14 March 2002 from the Permanent Mission of the Russian Federation to the United Nations stating that Mr. V. A. Leplinsky has been appointed alternate representative of the Russian Federation on the Security Council.

In the opinion of the Secretary-General, this note verbale constitutes adequate provisional credentials.

02-30025 (E) 220302

United Nations S/2002/304

Security Council

Distr.: General
25 March 2002

Original: English

Letter dated 18 March 2002 from the Secretary-General addressed to the President of the Security Council

I am attaching for your consideration, and for the consideration of the members of the Security Council, a letter dated 12 March 2002 from the President of the International Tribunal for the Former Yugoslavia, Judge Claude Jorda (see annex).

In his letter, President Jorda addresses two matters.

The first concerns compensation of persons who may have been wrongly detained, prosecuted or convicted by the International Tribunal for the Former Yugoslavia.

President Jorda recalls that in a letter dated 19 September 2000, which I drew to your attention and to the attention of the members of the Security Council in my letter dated 26 September 2000 (S/2000/904), he reported that it was the considered view of the judges of the International Tribunal for the Former Yugoslavia that the Tribunal should be able to make awards of compensation, in certain specific circumstances, to persons who might have been wrongly detained, prosecuted or convicted by the Tribunal. President Jorda observed that, in order for the Tribunal to be able to award compensation in those situations, it would be necessary for the Security Council to amend the Statute of the Tribunal so as to confer upon it the necessary legal powers.

As you will be aware, the Security Council has not, to date, adopted any such amendment to the Tribunal's Statute.

In the attached letter, President Jorda reports that the Tribunal has recently received claims for compensation from two persons held in detention by the Tribunal pending and during their trial, who, having been convicted by a trial chamber, appealed against their convictions. They were held in detention awaiting determination of their appeals and were released after their convictions were quashed by the Tribunal's appeals chamber.

President Jorda is seeking the opinion of the Security Council on the matter addressed in his letter of 19 September 2000 before taking any decision in respect of those claims.

The second matter that President Jorda addresses in his letter concerns the powers of the ad litem judges of the International Tribunal for the Former Yugoslavia.

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President Jorda recalls that, in accordance with the terms of the Statute of the Tribunal, ad litem judges are, as matters stand, competent to adjudicate only in the trial proceedings of the cases to which they are appointed. They are therefore not competent to adjudicate in pre-trial proceedings in other cases that are before the Tribunal, even though they might be available for that purpose, practically speaking.

President Jorda observes that it would facilitate the conduct of judicial business before the Tribunal and promote the more expeditious completion of its mandate if ad litem judges were to enjoy the competence, during the period of their appointment to a trial, to adjudicate in pre-trial proceedings in other cases, should the need arise and should they be in a position to do so.

President Jorda notes that, for this to be possible, it would be necessary for the Security Council to amend the Statute of the Tribunal.

I would be grateful if you would bring the present letter and its annex to the attention of the members of the Security Council.

(*Signed*) Kofi A. **Annan**

Annex

Letter dated 12 March 2002 from the President of the International Tribunal for the Former Yugoslavia addressed to the Secretary-General

I am writing to you today to request your assistance with regard to two urgent matters of the greatest concern to the International Criminal Tribunal for the Former Yugoslavia: the payment of compensation to persons who have been wrongly prosecuted or sentenced, and the mandate of ad litem judges.

As you are aware, in recent years the judges have expressed concern about the situation of individuals who have been wrongly prosecuted or sentenced by the Tribunal. The international human rights conventions and most national legislations provide that such persons are entitled, under certain conditions, to be compensated for the deprivation of liberty and resultant economic losses. Yet neither the Statute nor the Rules of Procedure and Evidence of the Tribunal embody this right.

I conveyed these concerns to you in a letter dated 19 September 2000, which you transmitted to the President of the Security Council on 26 September 2000.

I am emphasizing this problem today because the Tribunal has recently received two requests for compensation from persons who believe that they were wrongly sentenced. I therefore feel that it is appropriate to request the opinion of the Security Council on the question once again before taking any kind of decision.

My second concern relates to the participation of ad litem judges at the pre-trial stage of cases. Article 13 quater 2 (a) (iv) of the Statute of the Tribunal provides that these judges do not have the power to "adjudicate in pre-trial proceedings". Of course, since the reform of April 2001, a senior legal officer may participate, under the authority of a permanent judge, in the pre-trial stage of a case (article 65 ter of the Rules of Procedure and Evidence). However, the practice of the past six months has shown that with the substantial increase in the number of trials, the Tribunal would be more effective and more dynamic if the ad litem judge could, while attending the hearing in the case assigned to him, participate at the pre-trial stage, that is to say, in the preparation, of other cases. Indeed, since the chambers meet only for half days (it will be recalled that they have to ensure an equal rotation, since the Tribunal has only three trial chambers for six simultaneous trials) in trials which are often very long, the ad litem judges have enough time to take up other ongoing cases. I therefore feel that limiting their mandate would be prejudicial to optimal output in the performance of their tasks.

In order to streamline procedures and hence respect the spirit of the reform of the ad litem judges, I would propose to the Security Council that the wording specifying that these judges do not have the power to "adjudicate in pre-trial proceedings" should be deleted from article 13 quater of the Statute. This proposal seems to me to be all the more justified in that the ad litem judges, because of their knowledge and experience of the operation of the Tribunal, are fully capable of preparing other cases.

I should like to note, however, that the limited and temporary nature of the function of ad litem judges should not be jeopardized by this new task. Ad litem judges should continue to be assigned to a particular trial and only during that trial

would carry out pre-trial work on other cases. There is no question of making them semi-permanent judges, who are automatically called to attend several trials; the idea is to make the most of their mandate, which is limited by the terms of the Statute.

I should be grateful if you would bring the text of this letter to the attention of the President and the members of the Security Council.

(*Signed*) Claude **Jorda**

United Nations S/2002/305

Security Council

Distr.: General
25 March 2002

Original: English

Letter dated 25 March 2002 from the Chargé d'affaires a.i. of the Permanent Mission of Zambia to the United Nations addressed to the President of the Security Council

Upon instructions from my Government, in its capacity as Chairman of the Organization of African Unity, I have the honour to forward herewith the text of a communiqué issued on 20 March 2002 at an extraordinary meeting of the Political Committee, held in Lusaka (see annex).

I should be grateful if you would have the present document and its annex circulated as a document of the Security Council.

(*Signed*) Brig. Gen. John N. **Musonda**
Chargé d'affaires a.i.

02-30272 (E) 250302

Annex to the letter dated 25 March 2002 from the Chargé d'affaires a.i. of the Permanent Mission of Zambia to the United Nations addressed to the President of the Security Council

Final communiqué issued by the Political Committee on the implementation of the Ceasefire Agreement in the Democratic Republic of the Congo

Under the chairmanship of His Excellency João Bernardo de Miranda, Chairman of the Political Committee and Minister of External Relations of the Republic of Angola, an extraordinary meeting of the Political Committee was held in Lusaka, Zambia, on 20 March 2002.

The meeting was attended by Angola, the Democratic Republic of the Congo, Namibia, Rwanda, Uganda, Zimbabwe, the Mouvement pour la liberation du Congo (MLC), the Rassemblement congolais pour la democratie (RCD), and RCD-Kisangani-Mouvement de liberation (RCD-K-ML). The meeting was also attended by Zambia, representatives of the facilitator, the Organization of African Unity (OAU), the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) and the Joint Military Commission (JMC).

The Political Committee was briefed on the decision by the Congolese Government to withdraw from the inter-Congolese dialogue as a result of the escalation of hostilities in Moliro and expressed serious concern over the systematic violations of the Ceasefire Agreement. The Committee urged the parties to put an end to those violations.

The Political Committee welcomed the adoption by the United Nations Security Council of resolution 1399 (2002) of 19 March, and urged all the parties to strictly abide by the above resolution, thereby withdrawing from the positions they occupy in violation of the modalities of implementation of the disengagement plan. The Government should withdraw from Kayaya and Yayama within five days and the Rassemblement congolais pour la democratie should withdraw from Moliro and Pweto, also within five days.

The Political Committee urged the parties to fully implement the disengagement plan and to accelerate the demilitarization of Kisangani by, at the latest, 6 April 2002.

The Political Committee asked MONUC to submit within the next 15 days to the Chairman of the Political Committee a comprehensive report on the implementation of these decisions.

The Political Committee welcomed the decision by the Government of the Democratic Republic of the Congo to return to the inter-Congolese dialogue from 21 March 2002, and appealed to the Congolese parties that, despite their differences, they should place the national interests of the Congolese people above their own and work towards the speeding up and conclusion of the dialogue.

The Political Committee expressed its gratitude to the Government and people of the Republic of Zambia for the warm reception and hospitality accorded to the members of the Committee during their stay in Lusaka, as well as the excellent facilities put at their disposal.

Done in Lusaka, this 20th day of March 2002.

United Nations S/2002/306

Security Council

Distr.: General
25 March 2002

Original: English

Letter dated 25 March 2002 from the Permanent Representative of Armenia to the United Nations addressed to the President of the Security Council

On instructions from my Government, I have the honour to transmit herewith the memorandum by the Foreign Ministry of the Republic of Armenia entitled "The truth about the events in Khojaly: evidence from Azerbaijani sources" (see annex).

I should be grateful if you would have the text of the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Movses **Abelian**
Ambassador
Permanent Representative

02-30284 (E) 270302

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Annex to the letter dated 25 March 2002 from the Permanent Representative of Armenia to the United Nations addressed to the President of the Security Council

The truth about the events in Khojaly
Evidence from Azerbaijani sources

For nine years after the events in Khojaly official Baku has been obstinately fanning anti-Armenian hysteria with the aim of falsifying the real events and discrediting the Armenian people in the eyes of the international community.

The events in Khojaly, which led to the deaths of civilians, were the result solely of political intrigues and a struggle for power in Azerbaijan.

The real reasons are most convincingly reflected in the accounts of Azerbaijanis themselves – as participants in and eyewitnesses of what happened – as well as of those who know the whole inside story to the events in Baku.

According to Azerbaijani journalist M. Safarogly, "Khojaly occupied an important strategic position. The loss of Khojaly was a political fiasco for Mutalibov".[1]

Khojaly, along with Shusha and Agdam, was one of the main strongholds from which Stepanakert, the capital of the Nagorny Karabagh Republic, was shelled continuously and mercilessly for three winter months using artillery and missiles and launchers for targeting cities.

Knocking out the weapon emplacements in Khojaly and freeing the airport were the only way for the Nagorny Karabagh Republic to ensure the physical survival of a population condemned by Azerbaijan to complete annihilation. The daily shelling of Stepanakert from nearby Khojaly took the lives of hundreds of peaceful inhabitants – women, children and old people.

Former President of Azerbaijan, Ayaz Mutalibov, has emphasized that "... the assault on Khojaly was not a surprise attack"[2]. In a " Nezavisimaya gazeta(" newspaper interview he stated that " a corridor was kept open by the Armenians for people to leave"[3]. However, a column of civilians was fired on by armed units of the Popular Front of Azerbaijan on the approaches to the Agdam district border, a fact later confirmed by Ayaz Mutalibov, who linked this criminal act to attempts by the opposition to remove him from power, and blamed it entirely for what happened.

In his recent interview with the " Novoye vremya" magazine, Mutalibov confirms his statement of nine years ago: " The shooting of the Khojaly residents was obviously organized by someone to take control in Azerbaijan"[4].

Similar comments and views concerning the events in Khojaly are known to have been made by several other highly-placed Azerbaijani officials and journalists.

There is, moreover, the conclusion of Azerbaijani journalist Arif Yunusov, which differs somewhat from the previous statements: " The town and its inhabitants were deliberately sacrificed for a political purpose – to prevent the Popular Front of Azerbaijan from coming to power"[5]. In this case, though, the Azerbaijanis themselves are named as the perpetrators of the tragedy.

[1] "Nezavisimaya gazeta" newspaper, February 1993.
[2] "Ogonyok" magazine, Nos. 14-15, 1992.
[3] "Nezavisimaya gazeta" newspaper, 2 April, 1992.
[4] "Novoye vremya" newspaper, 6 March 2001.
[5] "Ariaks" newspaper, July 1992.

What resulted from the betrayal of the inhabitants of Khojaly by their own highly-ranking compatriots is well known. Azerbaijani propaganda has railed to the whole world about the "atrocities of the Armenians", supplying television stations with horrendous pictures of a field strewn with mutilated bodies. Khojaly is claimed to have been "the Armenians' revenge for Sumgait".

Tamerlan Karayev, at one time Chairman of the Supreme Council of the Azerbaijan Republic, bears witness: "The tragedy was committed by the authorities of Azerbaijan ", and specifically by " someone highly placed".[6]

The Czech journalist Jana Mazalova, who by an oversight of the Azerbaijanis was included in both of the groups of press representatives to be shown the bodies mutilated by "the Armenians ", noted a substantial difference in the two cases. When she went to the scene immediately after the events, Mazalova did not see any traces of barbarous treatment of the bodies. Yet a couple of days later the journalists were shown disfigured bodies already "prepared" for taping.

Who killed the peaceful inhabitants of Khojaly and then mutilated their bodies, if the tragedy occurred not in a village taken by Armenians or on the route of the humanitarian corridor, but on the approaches to the town of Agdam-on territory fully controlled by the Popular Front of Azerbaijan?

The independent Azerbaijani cameraman Chingiz Mustafaev, who took pictures on 28 February and 02 March 1992, had doubts about the official Azerbaijani version and began his own inquiry. The journalist's very first report to the Moscow news agency " D-press" on the possible complicity of the Azerbaijani side in the crimes cost Mustafaev his life: he was killed not far from Agdam, under circumstances that are still unexplained.

The current President of Azerbaijan, Heydar Aliyev, himself recognized that Azerbaijan's "former leadership were also guilty" of the events in Khojaly.Already in April 1992, according to the agency Bilik-Dunyasy, he had commented as follows: 'The bloodshed will be to our advantage. We should not interfere in the course of events". To whose "advantage" was the bloodletting is clear to everyone. "Megapolis-Express" wrote: " It cannot be denied that if the Popular Front of Azerbaijan actually set far-reaching objectives, they have been achieved. Mutalibov has been compromised and overthrown, public opinion worldwide has been shaken, and the Azerbaijanis and their Turkish brethren have believed in the so-called "genocide of the Azerbaijani people in Khojaly".[7]

One other tragic detail: It has become clear since the events that 47 Armenian hostages were already being held on 26 February in "peaceful" Khojaly, a fact that the Azerbaijani mass media "covering" the tragedy have failed to mention. After the liberation of Khojaly only 13 hostages (including 6 women and 1 child) were found there, the other 34 having been taken away by the Azerbaijanis to an unknown location. The only thing known about them is that they were led from the village on the night of the operation, but never reached Agdam. There is still no information concerning what eventually happened to them or confirming that they continued to be held captive by the Azerbaijanis.

Obviously, those who wanted to create the impression that bodies had been mutilated by the Armenians first of all disfigured the bodies of those same Armenian

[6] " Mukhalifat" newspaper, 28 April, 1992

[7] "Megapolis-Express", No. 17, 1992

hostages, in order to make it impossible to identify them. Precisely for that purpose the outer clothing was removed from many of the bodies, and precisely for that reason the bodies of the unfortunate victims were damaged so badly that they became unrecognizable.

In the light of the above facts it may confidently be said that the killing of peaceful inhabitants of the village of Khojaly and of the Armenian hostages being held there was the work of the Azerbaijani side, which committed this crime against its own people in the name of political intrigues and the struggle for power.

United Nations A/ES-10/160–S/2002/307

General Assembly
Security Council

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25 March 2002

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General Assembly
Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Fifty-seventh year

Identical letters dated 25 March 2002 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

Israel, the occupying Power, continues with its bloody military campaign against the Palestinian people in the Occupied Palestinian Territory, including Jerusalem. Since my last letter to you dated 15 March 2002 (A/ES-10/159-S/2002/281), Israeli occupying forces have killed 38 more Palestinians, bringing the total number of Palestinian martyrs to 1,167 since 28 September 2000. (The names of the martyrs are contained in the annex to the present letter.) In addition, I wish to also draw attention to the fact that many more Palestinian civilians continue to be injured, many severely, by the Israeli occupying forces.

Today, the Israeli Prime Minister, Mr. Ariel Sharon, spoke of a three-phase plan with a "long-range interim period" as its goal. This reaffirms once more that Mr. Sharon wants to avoid a final settlement between the two sides in complete violation of the existing agreements, which could only lead to further confrontation, tension and violence. The rejection of a final settlement and a real peace between the two sides by Mr. Sharon has been the real reason for the above-mentioned Israeli military campaign against our people.

I am writing this letter in follow-up to my previous 108 letters to you regarding the escalating crisis in the Occupied Palestinian Territory, including Jerusalem, dated from 29 September 2000 to 15 March 2002 (A/55/432-S/2000/921; A/55/437-S/2000/930; A/55/450-S/2000/957; A/55/466-S/2000/971; A/55/474-S/2000/984; A/55/490-S/2000/993; A/ES-10/39-S/2000/1015; A/ES-10/40-S/2000/1025; A/ES-10/42-S/2000/1068; A/ES-10/43-S/2000/1078; A/ES-10/44-S/2000/1093; A/ES-10/45-S/2000/1104; A/ES-10/46-S/2000/1107; A/ES-10/47-S/2000/1116; A/ES-10/48-S/2000/1129; A/ES-10/49-S/2000/1154; A/ES-10/50-S/2000/1173; A/ES-10/51-S/2000/1185; A/ES-10/52-S/2000/1206; A/ES-10/53-S/2000/1247; A/ES-10/54-S/2001/7; A/ES-10/55-S/2001/33; A/ES-10/56-S/2001/50; A/ES-10/57-S/2001/101; A/ES-10/58-S/2001/131; A/ES-10/59-S/2001/156; A/ES-10/60-S/2001/175; A/ES-10/61-S/2001/189; A/ES-10/64-S/2001/209; A/ES-10/65-S/2001/226; A/ES-10/66-S/2001/239; A/ES-10/67-

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S/2001/255; A/ES-10/68-S/2001/284; A/ES-10/69-S/2001/295; A/ES-10/70-S/2001/304; A/ES-10/71-S/2001/314; A/ES-10/72-S/2001/332; A/ES-10/75-S/2001/352; A/ES-10/76-S/2001/372; A/ES-10/79-S/2001/418; A/ES-10/80-S/2001/432; A/ES-10/81-S/2001/447; A/ES-10/82-S/2001/463; A/ES-10/83-S/2001/471; A/ES-10/84-S/2001/479; A/ES-10/85-S/2001/486; A/ES-10/86-S/2001/496; A/ES-10/87-S/2001/504; A/ES-10/88-S/2001/508; A/ES-10/89-S/2001/544; A/ES-10/90-S/2001/586; A/ES-10/91-S/2001/605; A/ES-10/92-S/2001/629; A/ES-10/93-S/2001/657; A/ES-10/94-S/2001/669; A/ES-10/95-S/2001/686; A/ES-10/96-S/2001/697; A/ES-10/97-S/2001/708; A/ES-10/98-S/2001/717; A/ES-10/99-S/2001/742; A/ES-10/100-S/2001/754; A/ES-10/101-S/2001/783; A/ES-10/102-S/2001/785; A/ES-10/103-S/2001/798; A/ES-10/104-S/2001/812; A/ES-10/105-S/2001/814; A/ES-10/107-S/2001/821; A/ES-10/108-S/2001/826; A/ES-10/111-S/2001/880; A/ES-10/112-S/2001/918; A/ES-10/114-S/2001/928; A/ES-10/115-S/2001/932; A/ES-10/116-S/2001/941; A/ES-10/117-S/2001/971; A/ES-10/118-S/2001/989; A/ES-10/119-S/2001/991; A/ES-10/121-S/2001/1007; A/ES-10/122-S/2001/1024; A/ES-10/123-S/2001/1036; A/ES-10/124-S/2001/1084; A/ES-10/125-S/2001/1092; A/ES-10/126-S/2001/1118; A/ES-10/128-S/2001/1149; A/ES-10/129-S/2001/1166; A/ES-10/133-S/2001/1239; A/ES-10/134-S/2001/1261; A/ES-10/136-S/2002/18; A/ES-10/137-S/2002/39; A/ES-10/138-S/2002/48; A/ES-10/139-S/2002/58; A/ES-10/140-S/2002/89; A/ES-10/141-S/2002/95; A/ES-10/142-S/2002/102; A/ES-10/143-S/2002/121; A/ES-10/144-S/2002/142; A/ES-10/145-S/2002/146; A/ES-10/146-S/2002/165; A/ES-10/147-S/2002/175; A/ES-10/148-S/2002/182; A/ES-10/149-S/2002/186; A/ES-10/150-S/2002/214; A/ES-10/151-S/2002/223; A/ES-10/152-S/2002/232; A/ES-10/154-S/2002/242; A/ES-10/155-S/2002/248; A/ES-10/156-S/2002/249; A/ES-10/157-S/2002/253, A/ES-10/158-S/2002/258 and A/ES-10/159-S/2002/281).

I would be grateful if you would arrange to have the text of the present letter and its annex distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Dr. Nasser **Al-Kidwa**
Ambassador
Permanent Observer of Palestine to the United Nations

Annex to the identical letters dated 25 March 2002 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

Names of martyrs killed by Israeli occupying forces in the Occupied Palestinian Territory, including Jerusalem* (Saturday, 16 March 2002 to Monday, 25 March 2002)

Saturday, 16 March 2002

1. Majdi Fadel Al-Owewe
2. Mohammed Salama Dana
3. Loay Mohammed Istati
4. Khalil Bade Al-Gharour
5. Majed Mohammed Abu Al-Jediar
6. Nidal Abdelnasser Ashour (16 years old)

Sunday, 17 March 2002

1. Shaima Saed Hamad (11 years old)
2. Nahed Mohammed Issa
3. Ismael Abdelrahman Hamdan
4. Mujahed Arafat Abu Shabab (2 years old) (from wounds sustained)
5. Mahmoud Mossa Jawaresh

Monday, 18 March 2002

Falah Kamel Al-Assa

Tuesday, 19 March 2002

1. Mohammed Saleh Mohammed Kameel
2. Ahmed Ali Ateeq
3. Ahmed Bahjat Shehdeh Al-Alami
4. Suliman Al-Zurai'ee
5. Mohammed Mohammed Hussein Abu Obeid

Wednesday, 20 March 2002

Mohammed Iyad Al-Mughrabi (11 years old) (from wounds sustained on 17 March 2002)

Thursday, 21 March 2002

Mahdouh Ali Muhsen (from wounds sustained on 18 March 2002)

Friday, 22 March 2002

Ayman Mohammed Rasheed Khawaldeh

Saturday, 23 March 2002

1. Nidal Ibrahim Hamdi Al-Alami
2. Eissa Wasfi Al-Nizr
3. Naji Ahmed Al-Ajrami
4. Mohammed Suliman Abu Hassanein
5. Nabil Khamis Abdel Ghafoor
6. Subhi Hasan Abu Namoos
7. Riham Hossam Abu Taha (4 years old) (from wounds sustained on 21 March 2002)
8. Mohammed Ali Othman

Sunday, 24 March 2002

1. Basem Mohammed Ali Abu Shehadeh
2. Nashaat Hamdan Abu Assi
3. Mohammed Abu Moamer
4. Ahmed Barbakh
5. Ahmed Abu Ne'ma

Monday, 25 March 2002

1. Moneeb Sami Abu Baker
2. Khaled Mahmoud Abu Oreban
3. Mahmoud Abu Yaseen (15 years old)
4. Samer Mohammed Abdeljawad
5. Wahed Abu Halema

Notes

[*] The total number of Palestinian martyrs killed by Israeli occupying forces since 28 September 2000 is 1,167.

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Security Council

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Letter dated 23 March 2002 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 23 March 2002 from Mr. Naji Sabri, Minister for Foreign Affairs of Iraq. Appended to the Minister's letter is a table showing the violations of Iraq's international boundaries that were committed by United States and British warplanes flying across the demilitarized zone monitored by the United Nations Iraq-Kuwait Observation Mission (UNIKOM) in the period from 26 January to 1 March 2002.

The Minister urges you to instruct UNIKOM to perform its duties in full, to report these violations to the Security Council through you as soon as they occur and to specify the number and nationality of the warplanes that violate the demilitarized zone, given that such violations constitute wanton aggression against the people, sovereignty and territory of Iraq, as well as against United Nations peacekeeping operations. He further asks you to alert the Security Council to its responsibility to halt this aggression and ensure that its perpetrators are held accountable for it under international law.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Mohammed A. **Aldouri**
Permanent Representative

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Annex to the letter dated 23 March 2002 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General

Further to our letter dated 10 February 2002, I should like to inform you that in the period from 26 January to 1 March 2002 United States and British warplanes flying from bases in Kuwait, from Kuwait's airspace and territorial waters and by way of the demilitarized zone monitored by the United Nations Iraq-Kuwait Observation Mission (UNIKOM) committed 306 violations of our international boundaries. As shown in the table appended to this letter, the relevant Iraqi agencies have determined that the violations committed were as follows:

1. Armed aerial activity by the United States and the United Kingdom, violating our international boundaries from the United States and British bases in Kuwait, from Kuwait's airspace and territorial waters and by way of the demilitarized zone, comprised 306 armed sorties in the Dhi Qar, Muthanna, Basrah, Maysan and Qadisiyah governorates.

2. Our technical systems identified the aircraft violating Iraq's airspace on a daily basis as American F-14s, F-15s and F-16s and British Tornadoes.

3. An AWACS aircraft operating inside Saudi airspace and an E-2C aircraft operating inside Kuwaiti airspace provided support to all of the United States and British aircraft that carried out armed and hostile sorties, violating Iraq's airspace by way of the demilitarized zone.

4. Between 26 January and 1 March 2002, a total of 20 remotely piloted aircraft violated Iraq's airspace from United States and British bases in Kuwait, from Kuwait's airspace and territorial waters and by way of the demilitarized zone.

All of the violations in question were committed by way of the demilitarized zone in which UNIKOM is stationed. One of UNIKOM's primary responsibilities is to monitor such hostile military operations and to report them and endeavour to halt them immediately.

The statements of UNIKOM to the effect that it is unable to monitor or identify these aircraft are untenable in the light of the scientific and technological capabilities that the United Nations Secretariat should make available to it so that it may establish the identity and nationality of the warplanes that are violating Iraq's sovereign airspace and the demilitarized zone and notify the Security Council to take the necessary measures to halt such violations forthwith. In another respect, even if UNIKOM did not have the systems needed to identify the type and nationality of these aircraft, the fact that they come from the direction of Kuwait confirms that they are those of the United States and the United Kingdom, because these two countries do not deny that they are engaging in aggression against Iraq on a daily basis from Kuwait. Your report on UNIKOM for the period from 28 March to 4 September 2001 (S/2001/913) indicates as much, and paragraph 6 states that "[it should be noted] that the mission's inability to identify the States responsible for conducting such flights is in no way to be understood as condoning them". You also state in the report that the United States and the United Kingdom have acknowledged that they are continuing to enforce a no-flight zone in southern Iraq.

I accordingly urge you once more to instruct UNIKOM to perform its duties in full, to report these violations to the Security Council through you as soon as they occur and to specify the number and nationality of the warplanes that violate the demilitarized zone and commit aggression against Iraq, given that this constitutes State terrorism and wanton aggression against Iraq and against its people, its sovereignty and its territory, as well as against United Nations peacekeeping operations. I also ask you to alert the Security Council to its responsibility to halt this aggression and ensure that its perpetrators are held accountable for it under international law.

(*Signed*) Naji **Sabri**
Minister for Foreign Affairs

Enclosure

Hostile aerial activity violating Iraq's international boundaries from Kuwait and by way of the demilitarized zone, 26 January-1 March 2002

No.	Date	From	Time	Type	Armed sorties	Altitude (metres)	Speed (km/h)	Areas overflown
1	26 January-15 February	Kuwait	1220-2050	F-14, F-15, F-16	208, including 8 drones	8,000-11,500	240-780	Basrah, Artawi, Busayyah, Salman, Jalibah, Ashbajah, Qal'at Salih, Lasaf, Qurnah, Amarah, Nasiriyah, Safwan, Shinafiyah, Mashkhab, Nukhayb
2	16 February-1 March	Kuwait	0930-2140	F-14, F-15, F-16	98, including 12 drones	8,000-11,000	240-780	Artawi, Nasiriyah, Umm Qasr, Basrah, Busayyah, Jalibah, Qurnah, Salman, Nukhayb, Qal'at Salih, Samawah, Safwan, Lasaf, Shinafiyah, Ma'aniyah, Shatrah, Rifa'i, Jabayish, Amarah

Total sorties: 306